

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

RESTORATION HARDWARE, INC., a
Delaware corporation, and RH US, LLC, a
Delaware limited liability company,

Plaintiffs,

vs.

LIGHTING DESIGN WHOLESALERS, INC.
dba Alan Mizrahi Lighting Design, a New York
corporation, and ALAN MIZRAHI, an
individual,

Defendants.

Case No. 1:17-cv-05553-KBF

**DECLARATION OF THOMAS SCAVUZZO IN SUPPORT OF
PLAINTIFFS' EX PARTE MOTION FOR LEAVE TO
SERVE DEFENDANT ALAN MIZRAHI VIA EMAIL**

I, Thomas Scavuzzo, declare as follows:

1. I am a Paralegal at Lewis Roca Rothgerber Christie LLP in the Intellectual Property Practice Group. I make this declaration based on personal knowledge, and I could and would competently testify to the facts stated herein if called to do so.

2. I attest that the attached Exhibits in Support of Plaintiff's Ex Parte Motion For Leave To Serve Defendant Alan Mizrahi Via Email are true and correct:

3. Exhibit A is a true and correct copy of the GoDaddy Domain Name Registration Agreement.

4. Exhibit B is a true and correct copy of the WhoIS information for the domain name <alanmizrahi.com> and for the domain name <shopalanmizrahi.com>.

5. Exhibit C is true and correct copies from the entity information from the New York Secretary of State of Lighting Design Wholesalers, Inc. and a screenshot from

<alanmizrahi.com> alleging the 140 Bowery Street, New York, NY 10013 address (the “Bowery Street Address”) as his New York headquarters.

6. Exhibit D is a true and correct copy of an email communication from FedEx on July 24, 2017 confirming the letter sent to Alan Mizrahi at the Bowery Street Address could not be delivered.

7. We found the 71 Garwood Road, Fair Lawn NJ 07410 address (the “Garwood Address”) as being the personal residence of Alan Mizrahi via a public records search in June 2017.

8. Exhibit E is a true and correct copy of the request from August 23, 2017 to serve Mizrahi at the Garwood Address

9. Exhibit F is a true and correct copy of the response from the process server on August 29, 2017 confirming that a woman named “Maria” answered the door and claimed she was the new owner of the Garwood Address, that the Defendant no longer resides there, and that she did not have contact information for Alan Mizrahi.

10. Exhibit G is a true and correct copy of the redacted response from the private investigator on August 31, 2017 providing the Garwood Address. The investigator also confirmed that the Garwood address is the most recent public record available.

11. On July 21, 2017, I sent a demand letter and a copy of the Amended Complaint in this action via email to sales@alanmizrahi.com, alan@alanmizrahi.com, and dan@alanmizrahi.com. On July 27, 2017, I received a response to that email from archlightingasid@gmail.com that CCd sales@alanmizrahi.com.

12. On August 2, 2017 I received a second email response from archlightingasid@gmail.com, which CCd, among others, alan@alanmizrahi.com and sales@alanmizrahi.com.

13. Exhibit H is a true and correct copy of a screen printout from <shopalanmizrahi.com/about>, with highlighting added.

14. Exhibit I are true and correct copies of screen printouts from <alanmizrahi.com/about.html> and <http://alanmizrahi.com/contact_us.php>

15. Exhibit J is a true and correct copy of a partial screen printout of <facebook.com/alon.mizrahi1>.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

DATED this 18th day of September, 2017.

s/ Thomas J. Scavuzzo

Thomas J. Scavuzzo